IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Greg B. Hale, et al.	Examiner:	Timothy Newlin
Serial No.:	10/692,513	Group Art Unit:	2424
Filed:	October 24, 2003	Docket No.:	54317-022501/US
Customer No.:	46560	Confirmation No.:	9301
Title:	STREAMING OF DIGITAL DATA TO A PORTABLE DEVICE		

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APPELLANT'S BRIEF

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Sir:

This Brief is in furtherance of the Notice of Appeal in this case, timely filed on August 25, 2009. Appellant hereby appeals to the Board from the decision of the examiner in the Final Office Action mailed May 28, 2009, responsive to Appellant's amendment filed on March 18, 2009. Claims 22-44 and 46-79 are on appeal. Appellant requests a two month extension of time under 37 CFR §136(a) for the filing of this Brief. This Brief is accompanied by authorization to charge the requisite fee set forth in 37 CFR § 41.20(b)(2) in the amount of $540.00 and the extension of time fee per 37 CFR §17(a) in the amount of $490.00 as well as any additional fees that may be due to Deposit Account 50-2638.

I.   REAL PARTY IN INTEREST

The real party in interest in this appeal is The Walt Disney Company which wholly owns the assignee Disney Enterprises, Inc.

II.   RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

III.   STATUS OF CLAIMS

Claims on appeal are claims 22-44 and 46-79, as amended in an Amendment filed on March 18, 2009. Claims 1-21 and 45 had previously been canceled. The rejected claims on appeal are set forth in Appendix A of this Brief. These claims were twice rejected under 35 U.S.C. §103(a) in the Final Office Action mailed May 28, 2009. The Appellant filed Response without amendment on July 17, 2009. The examiner issued an Advisory Action on August 18, 2009. This appeal followed on August 25, 2009. No claim amendments have been made since the issuance of the Final Office Action on May 28, 2009. Section IX below recites the claims as currently entered/pending.

IV.   STATUS OF AMENDMENTS

An amendment was filed on March 18, 2009 in response to a Non-Final Office Action dated December 17, 2008. This amendment was entered by the examiner as indicated in the Final Office Action mailed May 28, 2009. All amendments submitted during prosecution of this application have been entered.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

Appellant's independent Claim 22 calls for a method of providing content data on a portable device to a viewer of a media presentation in conjunction with the presentation. This

method at least includes (1) providing a viewer of the presentation with a portable device, remote from the presentation, that is capable of receiving wireless communications and displaying the content data, (2) transmitting content data to the device, (3) accumulating content data in the portable device memory, (4) transmitting at least one time prompt to the device to trigger display of the data on the device in synchronization with a corresponding portion of the presentation, and (5) displaying the content data on the device.

Independent Claim 46 calls for a method of interactive communication with a viewer of a presentation during a presentation wherein the viewer has a portable device and is located remote from the presentation. The method includes (1) presenting the presentation at a first location using presentation data, the data having at least one time code associated with the presentation data, (2) providing a viewer with a portable device, the viewer being located at a second location remote from the first location, (3) transmitting the presentation data to the portable device and caching the data in device memory, (4) while the presentation is being presented, detecting a time code associated with the presentation data, (5) determining when the presentation data should be displayed based on the content of the time code, and (6) displaying the presentation data on the portable device in relative synchronization with the presentation of a corresponding portion of the media presentation.

Claim 47 calls for a method of providing content data to a viewer of a media presentation in conjunction with the media presentation. The method includes (1) providing a viewer with a portable device including at least two receivers, the device capable of presenting content data relating to the presentation to the viewer in conjunction with the presentation, (2) transmitting content data to the portable device using first receiver signals at the start of or slightly in advance of the start of the presentation, (3) accumulating content data in a cache memory of the portable device, (4) transmitting at least one message to the portable device using second receiver signals, a time when the content data should be presented on the portable device such that the content data and a corresponding portion of the media presentation are displayed in synchronization, and

(5) presenting the data on the portable device to the viewer in synchronization with the media presentation.

Claim 48 calls for a method of providing content data to a viewr of a media presentation in conjunction with the presentation. The method includes (1) providing the viewer of the presentation with a portable device including at least two receivers and being capable of displaying content data relating to the media presentation, (2) transmitting content data to the portable device using first receiver signals, (3) accumulating content data in the cache memory of the portable device, (4) transmitting at least one time prompt to the device using second receiver signals, the time prompt identifying a time when the content data should be displayed on the device such that the content data and a corresponding portion of the presentation are displayed in synchronization, and (5) executing the content data on the device in synchronization with the presentation.

Claim 54 calls for a method of providing a viewer of a first media content with a second media content. This method includes (1) providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content and capable of receiving wireless communication and displaying the second media content, (2) transmitting the second media content to the portable device, (3) transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and a portion of the first media content are displayed in synchronization, and (4) displaying the second media content on the portable device at a time indicated by the time prompt.

Claim 59 calls for A method of providing a viewer of a first media content with a second media content. This method includes (1) providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content, the second media content being different from the first media content, the second media content being associated with a portion of the first media content, (2) transmitting the

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second media content to the portable device, (3) transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and the portion of the first media content are displayed in synchronization, and (4) displaying the second media content on the portable device at a time indicated by the time prompt.

Claim 65 calls for a method of providing a viewer of a first media content with a second media content. This method includes (1) providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content, (2) transmitting the second media content to the portable device, (3) transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and a portion of the first media content are displayed in synchronization, (4) displaying the second media content on the portable device at a time indicated by the time prompt, and (5) providing inputs on the portable device adapted to receive information from the viewer.

The following Table identifies each claim element and limitation, with the corresponding page and line number in Appellant's specification and drawing providing support thereof, as is required by 37 CFR §41.37(c)(1)(v).

Application No. 10/692,513	
Claim	**Support in Specification**
Claim 22: A method of providing content data to a viewer of a media presentation in conjunction with the media presentation, comprising:	Paragraph [0008]
providing a viewer of the media presentation with a portable device, the portable device being remote from the presentation of the media presentation and capable of receiving wireless communications and displaying content data relating to the media presentation;	Paragraph [0009]; [0013]; [0026];Fig. 3, 6.

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Application No. 10/692,513	
Claim	**Support in Specification**
transmitting content data to the portable device;	Paragraph [0026]; Fig. 4;
accumulating content data in the cache memory of the portable device;	Paragraph [0031]
transmitting at least one time prompt to the portable device, the time prompt triggering the content data to be displayed on the portable device such that the content data is displayed in synchronization with the presentation of a corresponding portion of the media presentation; and	Paragraph [0038]
displaying the content data on the portable device.	Paragraph [0026] FIG. 3
Claim 46: A method of interactive communication during a media presentation, comprising:	Paragraph [0040]; FIG. 3, 6
presenting the media presentation at a first location using media presentation data, the media presentation data having at least one time code associated with the media presentation data;	Paragraph [0038], FIG. 3, 4,
providing a viewer of the media presentation with a portable device, the viewer being located at a second location remote from first location;	FIG. 4, FIG. 3; Paragraphs [0008],[0009]; [0028]
transmitting the media presentation data to the portable device and caching the media presentation data in a memory;	Paragraph [0031], [0038]
while the media presentation is being presented, detecting one of the at least one time code associated with the media presentation data;	Paragraph [0044]
determining when the media presentation data should be displayed based on the contents of the at least one time code;	Paragraph [0022], [0026]; [0028]

Application No. 10/692,513	
Claim	**Support in Specification**
displaying the media presentation data on the portable device in relative synchronization with the presentation of a corresponding portion of the media presentation.	Paragraph [0024], [0036]
Claim 47 (previously presented): A method of providing content data to a viewer of a media presentation in conjunction with the media presentation, comprising:	.FIG. 3; Paragraphs [0008], [0040],
providing a viewer of the media presentation with a portable device, the portable device comprising at least two receivers, the portable device capable of presenting content data relating to the media presentation to the viewer in conjunction with the media presentation;	FIG. 4, FIG. 3; Paragraphs [0008],[0009]; [0028]
transmitting the content data to the portable device using first receiver signals at the start or slightly in advance of the start of the media presentation;	Paragraphs [0041]-[0045]; FIG. 6
accumulating content data in a cache memory of the portable device;	Paragraph [0031]
transmitting at least one message to the portable device using second receiver signals, the at least one message a time when the content data should be presented on the portable device such that the content data and a corresponding portion of media presentation are displayed in synchronization; and	Paragraph [0024] and [0036]
presenting the data on the portable device to the viewer in synchronization with the media presentation.	Paragraph [0024] and [0036]
Claim 48 (previously presented): A method of providing content data to a viewer of a media presentation in conjunction with the media presentation, comprising:	FIG. 3; Paragraphs [0008], [0040],

Application No. 10/692,513	
Claim	**Support in Specification**
providing a viewer of the media presentation with a portable device, the portable device comprising at least two receivers, the portable device being capable of displaying content data relating to the media presentation;	FIG. 4, FIG. 3; Paragraphs [0008],[0009]; [0028]; Paragraph [0040]
transmitting the content data to the portable device using first receiver signals;	Paragraphs [0041]-[0045]; FIG. 6
accumulating content data in the cache memory of the portable device;	Paragraph [0031]
transmitting at least one time prompt to the portable device using second receiver signals, the time prompt identifying a time when the content data should be displayed on the portable device such that the content data and a corresponding portion of media presentation are displayed in synchronization; and	Paragraph [0024] and [0036]
executing the content data on the portable device in synchronization with the media presentation.	Paragraphs [0024] and [0036]
Claim 54 (previously presented): A method of providing a viewer of a first media content with a second media content, comprising:	FIG. 3; Paragraphs [0008], [0040],
providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content;	FIG. 4, FIG. 3; Paragraphs [0008],[0009]; [0028]; Paragraph [0040]
transmitting the second media content to the portable device;	Paragraphs [0041]-[0045]; FIG. 6
transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and a portion of the first media content are displayed in synchronization; and	Paragraph [0024] and [0036]

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Application No. 10/692,513	
Claim	**Support in Specification**
displaying the second media content on the portable device at a time indicated by the time prompt.	Paragraphs [0024] and [0036]
Claim 59 (previously presented): A method of providing a viewer of a first media content with a second media content, comprising:	FIG. 3; Paragraphs [0008], [0040],
providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content, the second media content being different from the first media content, the second media content being associated with a portion of the first media content;	FIG. 4, FIG. 3; Paragraphs [0008],[0009]; [0028]; Paragraph [0040]
transmitting the second media content to the portable device;	Paragraphs [0041]-[0045]; FIG. 6
transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and the portion of the first media content are displayed in synchronization; and	Paragraph [0038]
displaying the second media content on the portable device at a time indicated by the time prompt.	Paragraphs [0024] and [0036]
Claim 65 (previously presented): A method of providing a viewer of a first media content with a second media content, comprising:	FIG. 3; Paragraphs [0008], [0040],

Application No. 10/692,513	
Claim	**Support in Specification**
providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content;	FIG. 4, FIG. 3; Paragraphs [0008],[0009]; [0028]; Paragraph [0040]
transmitting the second media content to the portable device;	Paragraphs [0041]-[0045]; FIG. 6
transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and a portion of the first media content are displayed in synchronization;	Paragraph [0038]
displaying the second media content on the portable device at a time indicated by the time prompt; and	Paragraphs [0024] and [0036]
providing inputs on the portable device adapted to receive information from the viewer.	Paragraphs [0040] to [0046]

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether Claims 22-44 and 69-71 are unpatentable under 35 U.S.C. §103(a) over Chen et al., US 2002/0122137 (hereinafter "Chen") in view of Toguri, US 2002/0053085 (hereinafter "Toguri").

Whether Claims 46-68 and 72-79 are unpatentable under 35 U.S.C. §103(a) over Toguri, US 2002/0053085 in view of Chen et al., US 2002/0122137.

VII.   ARGUMENT

REJECTION OF CLAIMS 22-44 and 46-79 under 35 U.S.C. §103(a):

Both of the examiners rejections are based on two references: Toguri and Chen. Fundamental to each of the examiner's rejections is his misconstruction of the term "reproduction time" utilized in the Toguri reference. It is respectfully submitted that with a correct reading of the Toguri reference, the combination of Toguri and Chen do not render Appellant's claims obvious, and thus the rejections should be withdrawn.

In the Toguri reference the term "reproduction time" clearly is a value representing the play time of the audio visual content, i.e. how long the AV content is. This meaning is clear from the following excerpts from Toguri, in which this term is used:

[0009] As a result of the metadata described above, the general purpose additional information such as the title of the AV contents, copyright information, a **reproduction time**, and a genre can be described.

[0013] The general purpose additional information DB3 stores the registered information and the additional information of the AV contents. The additional information is the type of information which is inherent to the AV contents common among users and, e.g., an identification (ID) No., a format, a **reproduction time**, a storage location, a title, a genre, and a copyright. The user information DB4 stores information relating to the users such as usage status. The AV contents DB5 stores the AV contents themselves such as movie, still video, and audio. The common metadata DB6 temporarily stores the common metadata of the AV contents.

[0017] In step S1, the server input unit 1 is operated by the administrator of the server 2 to input the registering information and the additional information of the AV contents. This additional information is inherent to the common AV contents among the users, e.g., an identification No., a format, a **reproduction time**, a storage location, a title, a genre, and a copyright. In step S2, the server 2 is operated to register the inputted registering information and the additional information of the AV contents into the general purpose additional information DB3.

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[0079] The general purpose additional information registration processing module 31 registers the AV contents such as movie, still video and audio into the AV contents DB5. The administrator of the server 6, while referring to the AV contents DB5, inputs information relating to the AV contents by using the server input unit 1. This enables the general purpose additional information registration processing module 31 to add or register the overall registration information and the additional information of the AV contents to the additional information master DB21 according to the input from the server input unit 1. At this instant, the general purpose additional information registration processing module 31 also adds the number of splits or the number of segments obtained when the AV contents are split into a plurality of intervals or segments based on the context. The additional information, in this instance, means the additional information of the overall AV contents such as a title, a type, a copyright, a genre, a registration number, a date of creation, a storage location, a storage format, data size, **reproduction time** or the like.

[0101] The contents information region 61 is constituted by the contents ID, the classification, the format, the **reproduction time**, the registration date, the storage location, the size, the title, the leading role players, the copyright, the usage classification, the additional explanation, the number of segments or the like.

[0102] In the case of an example shown in FIG. 12, the contents ID represents an identification number identifying the AV contents. The classification indicates a classification of the AV contents, and for example, the classification "1" for a movie, "2" for a music and "3" for news are respectively allocated. The format shows the data format of the AV contents, and for example, the format "1" for the PCM (Pulse Code Modulation), "2" is for the MPEG-2 (Moving Picture Expert Group), and "3" for the MP3 (MPEG Audio Layer 3) are respectively allocated. The **reproduction time** shows the **reproduction time** of the AV contents. The registration date establishes the information registration date of the AV contents. The storage location refers to the storage location of the AV contents, the file pass, the URL (Uniform Resource Locator) or the like. The size represents the data size of the AV contents. The title indicates the title of the AV contents. The leading role player indicates the name of the leading actor or actress. The copyright represents the copyright information of the AV contents. The usage classification gives the partition in which use of the AV contents is allowed. For example, "1" is stored when everyone is permitted to use, and "2" is stored when only the registered members are permitted to use. The additional explanation represents other additional information and explanation regarding the overall AV contents. The number of segments shows the number of splits of the segment intervals of the AV contents.

[0117] Take an example in FIG. 14. During an interval from the beginning of the <contents> tag until the ending with the </contents> tag, the additional information regarding the contents is described. A <contents ID=xxxx> tag shows that the ID (xxxx) is an attribute item of the contents which is identified by that ID. In the contents, contents

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information such as contents classification, format and **reproduction time** is hierarchically described.

In each of these paragraphs, Toguri utilizes "reproduction time" in a very consistent manner. Toguri's "reproduction time" is clearly the period of elapsed time between beginning of AV content play and the end of AV content play. It is a duration, likely in minutes. A typical example might be 105 minutes, for a commercial movie.

In stark contrast, the examiner takes the position that the term "reproduction time" as used in Toguri lacks specificity as to exactly what is meant by the term. The examiner states that: "it's reasonable to interpret "reproduction time" as describing the time at which something is to be produced. One of ordinary skill would recognize that such timing information would be of use, for example, in the information integrating and synchronizing reproduction processing module. In that case, it would meet the claimed "time prompt"." It is respectfully submitted that the examiner's position is without foundation in fact, based on the above excerpts of Toguri. The examiner has clearly misconstrued the meaning of "reproduction time."

"Reproduction time" is clearly NOT the same as a time prompt as is used by Appellant. Further, it is respectfully submitted that even if "reproduction time" were to be construed as the examiner suggests, it does not meet appellant's claimed "time prompt." Toguri paragraph [0093] states:

> The information integrating and synchronous reproduction processing module 44 integrates and synchronizes the AV contents, the general purpose additional information of that AV contents, and the individual additional information on the segments, the scenes or the objects of the AV contents received by the information reception processing module 43, and outputs the resultant information to the terminal output unit 10.

Appellant's claim recites:

> "transmitting at least one time prompt to the portable device, the time prompt triggering the content data to be displayed on the portable device such that the content data is displayed in synchronization with the presentation of a corresponding portion of the media presentation; and

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displaying the content data on the portable device."

Appellant's claims call for a portable device having content data stored on it so that when the portable device receives a time prompt, this triggers the content data to be displayed on the portable device in synchronization with a media presentation being displayed on a device that is remote from the portable device. The time prompt is sent to the portable device which displays the content data.

In contrast, Toguri does not disclose, teach, or suggest transmitting a time prompt to the terminal output unit 10, which is the device that displays the AV contents and the additional information of the AV contents. Instead, the AV content remains in the "information integrating and synchronous reproduction processing module 44". The terminal output unit 10 immediately displays whatever it receives. The terminal output unit 10 does not store data and then receive a time prompt or a "reproduction time" to trigger the display of data in synchronization with some other data on a remote device. So even if "reproduction time" describes the time at which something is to be produced and is actually used for this purpose, it is being used in the integrating and synchronous reproduction processing module 44 and not the terminal output unit 10.

Furthermore, if "reproduction time", in Toguri, is construed to include the time at which something (e.g., the AV contents) is to be produced, this information is additional information of the overall AV contents provided for the user's purpose, not a functioning element of the disclosed system. The additional information includes information such as a title, a type of copyright, a genre, a registration number, a date of creation, a storage location, a storage format, data size, "reproduction time", or the like. (para. [0079] of Toguri). This information is integrated and synchronized with the actual AV contents and sent to the terminal output unit 10 at the request of the user. This additional information is the type of information which is inherent to the AV contents common among users. Toguri's disclosure is based on providing additional information individually per user so that each user can get any additional necessary information they choose together with the AV contents and the common additional information.

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Therefore, the AV contents, the common additional information, and the individual additional information are all sent to the terminal output unit 10 together as information for the user's use, not for the use of the system, (i.e., the system would work exactly the same way even if the "reproduction time" data was not included in the common metadata of the AV contents).

The examiner also takes the position that Toguri meets the claimed transmission of a time prompt by virtue of inherency as follows:

> Terminal apparatus 9 receives both AV contents and metadata, "integrates and synchronizes" these objects, then outputs them to a terminal output that includes multiple displays [FIG. 19, para. 149; FIG. 10, paras. 92-93;]. The AV contents are displayed synchronously with the extra media (metadata). For synchronous display to occur [44, Fig. 4], there must necessarily exist a "time prompt" that triggers the synchronous display of the two different pieces of data. Without a time prompt there is no meaningful manner in which to synchronize the displays. Moreover, since all of the information originates not at the terminal itself but arrives via the internet, the timing information is also necessarily transmitted to the device [Fig. 3, para. 72].

All the synchronization and integration of data is done at Terminal 9 and not at the terminal output unit 10. The terminal output unit 10 does have multiple displays, but receives all the data to be displayed and/or the audio data to be played via speakers at the same time together.

As mentioned above, Appellant's claims teach a portable device having content data stored on it so that when the portable device receives a time prompt, this triggers the content data to be displayed on the portable device in synchronization with a media presentation being displayed on a device remote from the portable device.

In Toguri, the terminal output unit 10 synchronizes the displays, i.e., displays the AV contents and the additional information at the same time, based on the format of the data as it is sent to the terminal output unit 10. The terminal output unit 10 displays the data as it receives it, it does not receive a "time prompt" that triggers it to display the data. Timing information may necessarily be transmitted to the device via the internet, but this timing information is well

known in the art of transmitting data via networks, and is not the same kind of timing information Appellant claims.

Chen teaches a system wherein a television companion device (TCD), TCD 120, can receive selected portions of a television programming transmission for display on the TCD. This TCD can selectively choose, in accordance with user instruction, selected programs, etc. from the main TV receiver.

The combination of Chen and Toguri teach transmission of AV content to a TCD or Terminal for subsequent reproduction on that terminal or TCD. However, this combination of references does not teach providing a viewer of a media presentation (on one device) with a portable device remote from the media presentation that displays content data when the portable device receives a time prompt triggering the content data to be displayed in synchronization with the media presentation as is set forth in Appellants' claims. Therefore it is respectfully submitted that the examiner has not set forth a prima facie case of obviousness with respect to Appellant's claims 22-44 and 46-79. Therefore both of the rejections, (obvious over Chen in view of Toguri and obvious over Toguri in view of Chen) should therefore be withdrawn.

VIII. CLAIMS APPENDIX

A complete listing of the claims involved in this appeal is attached hereto as Appendix A.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

Appellant states that there are no relevant related proceedings and therefore no Related Proceeding Appendix is hereby attached.
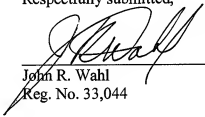
XI. CONCLUSION

The examiner's interpretation of the term "reproduction time" as taught by Toguri is misplaced and inappropriate. Toguri's "reproduction time" is the amount of time necessary for the AV work to display, not the time prompt during an activity at which an action is to occur. Without the examiners interpretation of "reproduction time", the rejections cannot stand. Therefore the examiner has failed to establish a valid obviousness rejection under 35 USC §103(a) as to any of Appellant's Claims. The rejections should be withdrawn.

Furthermore, the claimed invention clearly constitutes "Progress in the Useful Arts" to use the Constitutional Phrase (Art. 1, Sec. 8, Clause 8), and eminently deserves patent protection.

The allowance of all claims on appeal is therefore respectfully solicited.

Respectfully submitted,

Date: December _3_, 2009

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Included attachments:
   Claims Appendix: Claims on Appeal
   Evidence Appendix: None

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CLAIMS ON APPEAL

Claim 1-21 (previously canceled)

Claim 22 (previously presented): A method of providing content data to a viewer of a media presentation in conjunction with the media presentation, comprising:

provide a viewer of the media presentation with a portable device, the portable device being remote from the presentation of the media presentation and capable of receiving wireless communications and displaying content data relating to the media presentation;

transmitting content data to the portable device;

accumulating content data in the cache memory of the portable device;

transmitting at least one time prompt to the portable device, the time prompt triggering the content data to be displayed on the portable device such that the content data is displayed in synchronization with the presentation of a corresponding portion of the media presentation; and

displaying the content data on the portable device.

Claim 23 (previously presented): The method of claim 22 wherein the at least one time prompt is transmitted by way of infrared signal.

Claim 24 (previously presented): The method of claim 22 wherein the content data is transmitted by way of radio frequency signal.

Claim 25 (previously presented): The method of claim 22 wherein the media presentation data comprises a combination of audio and video data.

Claim 26 (previously presented): The method of claim 22 wherein the media presentation data is audio data.

Claim 27 (previously presented): The method of claim 22 wherein the media presentation data is video data.

Claim 28 (previously presented): The method of claim 22 wherein the content data comprises a combination of audio and video data.

Claim 29 (previously presented): The method of claim 22 wherein the content data comprises text.

Claim 30 (previously presented): The method of claim 22 wherein the content data comprises audio.

Claim 31 (previously presented): The method of claim 22 wherein the content data comprises video.

Claim 32 (previously presented): The method of claim 22 wherein the content data comprises graphics.

Claim 33 (previously presented): The method of claim 22 wherein the at least one time prompt is representative of a time of day.

Claim 34 (previously presented): The method of claim 22 wherein the at least one time prompt is representative of a time at which the media presentation starts.

Claim 35 (previously presented): The method of claim 22 wherein the portable device comprises speakers.

Claim 36 (previously presented): The method of claim 22 wherein the portable device comprises a display.

Claim 37 (previously presented): The method of claim 22 wherein the portable device is a personal digital assistant.

Claim 38 (previously presented): The method of claim 22 wherein the portable device is a cellular phone.

Claim 39 (previously presented): The method of claim 22 wherein the media presentation is a pre-recorded presentation.

Claim 40 (previously presented): The method of claim 39 wherein the pre-recorded presentation is a movie.

Claim 41 (previously presented): The method of claim 39 wherein the pre-recorded presentation is a movie and the content data is text captioning.

Claim 42 (previously presented): The method of claim 39 wherein the pre-recorded presentation is a movie and the content data comprises descriptive audio for the blind.

Claim 43 (previously presented): The method of claim 22 wherein the content data is a visual narrative, the visual narrative being displayed in one of a plurality of languages.

Claim 44 (previously presented): The method of claim 22 wherein the content data is an audio narrative, the audio narrative being played in one of a plurality of languages.

Claim 45 (previously canceled)

Claim 46 (previously presented): A method of interactive communication during a media presentation, comprising:

presenting the media presentation at a first location using media presentation data, the media presentation data having at least one time code associated with the media presentation data;

providing a viewer of the media presentation with a portable device, the viewer being located at a second location remote from first location;

transmitting the media presentation data to the portable device and caching the media presentation data in a memory;

while the media presentation is being presented, detecting one of the at least one time code associated with the media presentation data;

determining when the media presentation data should be displayed based on the contents of the at least one time code;

displaying the media presentation data on the portable device in relative synchronization with the presentation of a corresponding portion of the media presentation.

Claim 47 (previously presented): A method of providing content data to a viewer of a media presentation in conjunction with the media presentation, comprising:

providing a viewer of the media presentation with a portable device, the portable device comprising at least two receivers, the portable device capable of presenting content data relating to the media presentation to the viewer in conjunction with the media presentation;

transmitting the content data to the portable device using first receiver signals at the start or slightly in advance of the start of the media presentation;

accumulating content data in a cache memory of the portable device;

transmitting at least one message to the portable device using second receiver signals, the at least one message a time when the content data should be presented on the portable device such that the content data and a corresponding portion of media presentation are displayed in synchronization; and

presenting the data on the portable device to the viewer in synchronization with the media presentation.

Claim 48 (previously presented): A method of providing content data to a viewer of a media presentation in conjunction with the media presentation, comprising:

providing a viewer of the media presentation with a portable device, the portable device comprising at least two receivers, the portable device being capable of displaying content data relating to the media presentation;

transmitting the content data to the portable device using first receiver signals;

accumulating content data in the cache memory of the portable device;

transmitting at least one time prompt to the portable device using second receiver signals, the time prompt identifying a time when the content data should be displayed on the portable device such that the content data and a corresponding portion of media presentation are displayed in synchronization; and

executing the content data on the portable device in synchronization with the media presentation.

Claim 49 (previously presented): The method of claim 48 further providing inputs on the portable device adapted to receive information from the viewer.

Claim 50 (previously presented): The method of claim 48 wherein the at least two receivers are an infrared receiver and a radio frequency receiver.

Claim 51 (previously presented): The method of claim 48 wherein the portable device further comprises at least a transceiver.

Claim 52 (previously presented): The method of claim 48 wherein the time prompt further identifies the content data to be presented at the portable device.

Claim 53 (previously presented): The method of claim 48 wherein content data is transmitted to the portable device at the start or slightly in advance of the start of the media presentation.

Claim 54 (previously presented): A method of providing a viewer of a first media content with a second media content, comprising:

provial the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content;

transmitting the second media content to the portable device;

transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and a portion of the first media content are displayed in synchronization; and

displaying the second media content on the portable device at a time indicated by the time prompt.

Claim 55 (previously presented): The method of claim 54 further providing inputs on the portable device adapted to receive information from the viewer.

Claim 56 (previously presented): The method of claim 54 further comprising accumulating the second media content in cache memory of the portable device.

Claim 57 (previously presented): The method of claim 54 wherein second media content is transmitted to the portable device at the start or slightly in advance of the start of the first media content.

Claim 58 (previously presented): The method of claim 54 wherein the first media content is live.

Claim 59 (previously presented): A method of providing a viewer of a first media content with a second media content, comprising:

provcontentiding the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content, the second media content being different from the first media content, the second media content being associated with a portion of the first media content;

transmitting the second media content to the portable device;

transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and the portion of the first media content are displayed in synchronization; and

displaying the second media content on the portable device at a time indicated by the time prompt.

Claim 60 (previously presented): The method of claim 59 further providing inputs on the portable device adapted to receive information from the viewer.

Claim 61 (previously presented): The method of claim 59 wherein the first media content is live.

Claim 62 (previously presented): The method of claim 59 further comprising accumulating the second media content in cache memory of the portable device.

Claim 63 (previously presented): The method of claim 59 wherein the second media content is related in content with a portion of the first media content.

Claim 64 (previously presented): The method of claim 59 wherein second media content is transmitted to the portable device at the start or slightly in advance of the start of the first media content.

Claim 65 (previously presented): A method of providing a viewer of a first media content with a second media content, comprising:

providing the viewer of the first media content with a portable device, the portable device being remote from a display of the first media content, the portable device being capable of receiving wireless communication and displaying the second media content;

transmitting the second media content to the portable device;

transmitting a time prompt to the portable device, the time prompt triggering a display of the second media content on the portable device such that the second media content and a portion of the first media content are displayed in synchronization;

displaying the second media content on the portable device at a time indicated by the time prompt; and

providing inputs on the portable device adapted to receive information from the viewer.

Claim 66 (previously presented): The method of claim 65 wherein the first media content is live.

Claim 67 (previously presented): The method of claim 65 further comprising accumulating the second media content in cache memory of the portable device.

Claim 68 (previously presented): The method of claim 65 wherein second media content is transmitted to the portable device at the start or slightly in advance of the start of the first media content.

Claim 69 (previously presented): The method of claim 22 wherein the media presentation is live.

Claim 70 (previously presented): The method of claim 22 wherein content data is transmitted to the portable device at the start or slightly in advance of the start of the media presentation.

Claim 71 (previously presented): The method of claim 22 further providing inputs on the portable device adapted to receive information from the viewer.

Claim 72 (previously presented): The method of claim 46 further comprising determining what portion of the media presentation data should be displayed based on the contents of the at least one time code.

Claim 73 (previously presented): The method of claim 46 further providing inputs on the portable device adapted to receive information from the viewer.

Claim 74 (previously presented): The method of claim 46 wherein media presentation data is transmitted to the portable device at the start or slightly in advance of the start of the media presentation.

Claim 75 (previously presented): The method of claim 47 further providing inputs on the portable device adapted to receive information from the viewer.

Claim 76 (previously presented): The method of claim 47 wherein the at least two receivers are an infrared receiver and a radio frequency receiver.

Claim 77 (previously presented): The method of claim 47 wherein the portable device further comprises at least a transceiver.

Claim 78 (previously presented): The method of claim 47 wherein the at least one message further identifies the content data to be presented at the portable device.

Claim 79 (previously presented): The method of claim 47 wherein content data is transmitted to the portable device at the start or slightly in advance of the start of the media presentation.

EVIDENCE APPENDIX

None.